GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:2310
ANSWERED ON:13.03.2001
USE OF THIRD DEGREE BY POLICE
RAGHUNATH JHA

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Government are aware that there is in-built mechanism in the law to check the use of third degree by police to extort information;

(b) if so, the details in this regard;

(c) whether a committee on police reforms have held that the use of third degree methods be made crime specific apart from applying strictly sections 330 and 331 IPC; and

(d) if so, the reaction of the Government thereto?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (I.D. SWAMI)

(a) & (b): Sections 330 and 331 of the Indian Penal Code, 1860 provide for stringent punishment to whoever voluntarily causes hurt/grievous hurt to extort confession or any information for detection of offences or to compel restoration of property or valuable security.

(c) & (d): The Padmanabhiah Committee on Police Reforms have recommended that use of third degree measures by police should be made a specific offence under the Indian Penal Code,, 1860. These recommendations have been sent to all State Governments and U.T. Administrations for necessary follow up action.